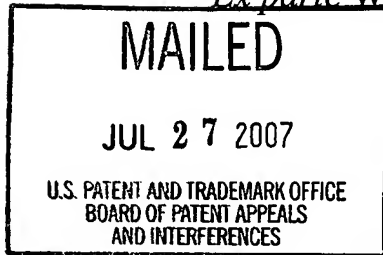


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WOLFGANG REIN and DOUGLAS JONATHAN



Application 10/718,438
Technology Center 3700

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on July 18, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

A full-text English translation for the following prior art reference cited on page 2 of the June 16, 2006 Examiner's Answer was not located in the instant application:

JP404000063A

Arai

6-1992

It is imperative that the Examiner supply a full-text English translation and not a machine-assisted translation for this reference before any further processing of this appeal can take place.

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Additional review of this IFW application reveals that Appellants filed an Information Disclosure Statement (IDS) which was received by the USPTO on May 12, 2005. There is no indication on the written record that the Examiner formally considered or acknowledged this document. Clarification is required.

Accordingly, it is *ORDERED* that the application is returned to the Examiner:

(1) to supply a complete translation for the reference cited on page 2 of the Examiner's Answer mailed June 16, 2006 (JP404000063A issued to Arai (Jun. 1992));

(2) to mail Appellants a copy of said translation and have scanned into the official IFW record;

(3) to provide clarification as to the entry status of the IDS received by the USPTO on May 12, 2005;

(4) to initial the references or draw a line through the entries contained on the PTO-1449, and send a signed copy to Appellant and have said PTO-1449 made of record in the instant application; and

(5) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
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PJN/hh

Application 10/718,438

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